

ENROLLED ORIGINAL

## A RESOLUTION

17-592

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To approve multiyear Contract No. DCFA-2007-C-0013 with First Vehicle Services to provide fleet management and maintenance services for the Metropolitan Police Department's vehicles and equipment.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCFA-2007-C-0013 Approval Resolution of 2008".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. DCFA-2007-C-0013, a multiyear agreement in the amount of \$11,405,248, with First Vehicle Services to provide fleet management and maintenance services for preventive maintenance and repair of Metropolitan Police Department vehicles and equipment for 2 years from the date of award.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

17-593

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm the appointment of Ms. Martha R. Benyam to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs Martha R. Benyam Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Martha R. Benyam  
738 Rock Creek Church Road, N.W.  
Washington, D.C. 20001  
(Ward 1)

as a member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393), for a term to end 3 years after the date of appointment.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-594

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm the appointment of Mr. Lafayette A. Barnes to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs Lafayette A. Barnes Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Lafayette A. Barnes  
114 Mississippi Avenue, S.E.  
Washington, D.C. 20032  
(Ward 8)

as a member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393), for a term to end 3 years after the date of appointment.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-595

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm the appointment of Mr. John F. Lloyd to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs John F. Lloyd Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. John F. Lloyd  
3137 Newton Street, N.E.  
Washington, D.C. 20018  
(Ward 5)

as a member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393), for a term to end 3 years after the date of appointment.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

17-596

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm the appointment of Mr. George S. Banks to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs George S. Banks Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. George S. Banks  
1317 Bryant Street, N.E., #4  
Washington, D.C. 20018  
(Ward 5)

as a member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393), for a term to end 3 years after the date of appointment.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-597

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm the appointment of Mr. Errol R. Arthur to the District of Columbia Board of Elections and Ethics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections and Ethics Errol R. Arthur Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Errol R. Arthur  
4411 15<sup>th</sup> Street, N.W.  
Washington, D.C. 20011  
(Ward 4)

as a member of the District of Columbia Board of Elections and Ethics, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2009.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

17-598

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to clarify that cigarette stamps may be affixed only to packages of cigarettes whose brands are included in the directory of Tobacco Product Manufacturers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Cigarette Stamp Clarification Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to amend section 47-2402(c) of the District of Columbia Official Code to clarify that District of Columbia cigarette tax stamps ("cigarette tax stamps") may be affixed only to packages of cigarettes whose brands are included in the District of Columbia's directory of Tobacco Product Manufacturers that have provided proper certifications pursuant to the section 4(b) of the Tobacco Product Manufacturers Reserve Fund Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C. Official Code § 7-1803.03(b)) ("Complementary Procedures Act").

(b) The Office of Tax and Revenue ("OTR") and the Office of the Attorney General ("OAG") currently enforce the financial obligations of cigarette manufacturers under the Tobacco Settlement Model Act of 2000, effective July 18, 2000 (D.C. Law 13-139; D.C. Official Code § 7-1801.01 *et seq.*) ("Model Act"). These efforts are directly supported by OTR's and OAG's enforcement of the complementary obligations of cigarette wholesalers and retailers under the Complementary Procedures Act. These complementary obligations include prohibitions against affixing cigarette tax stamps to, or selling in the District of Columbia, packages of cigarettes whose brands are not included in the District of Columbia directory of those cigarette manufacturers that, pursuant to the Complementary Procedures Act, have provided proper certifications regarding their obligations under the Model Act. OTR has expressed concern that, without clarification that affixing cigarette tax stamps to the cigarette packages of non-participating manufacturers, as defined in the Model Act, is a violation of Chapter 24 of Title 47 of the District of Columbia Official Code, OTR could face a technical legal challenge to its reliance on its cigarette tax enforcement authority to enforce the lawful use of cigarette tax stamps under these circumstances.

## ENROLLED ORIGINAL

(c) It is important to continued, uninterrupted enforcement of the Model Act that OTR's enforcement activities with respect to the Complementary Procedures Act not be impeded or curtailed by technical uncertainty regarding OTR's enforcement authority.

(d) The Council has previously passed this legislation on an emergency and temporary basis. The Committee on Finance and Revenue intends to move the permanent version as part of the Fiscal Year 2009 Budget Support Act of 2008. The previous temporary version, D.C. Law 17-18, the Cigarette Stamp Clarification Temporary Act of 2007, will expire on April 26, 2008. In order to avoid a gap in authority for this important program, emergency legislation is needed.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Cigarette Stamp Clarification Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.



ENROLLED ORIGINAL

## A RESOLUTION

17-599

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to amend section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 to revise the applicability provision to clarify the sections that shall apply upon the receipt of reprogramming requests.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Supplemental Appropriations Release of Funds Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-451 *et seq.*) ("PERA"), established the Office of Public Education Facilities Modernization ("OPEFM"), without the authority to manage routine maintenance. The PERA was later amended to grant OPEFM this authority; provided, that certain funds were reprogrammed.

(b) The Fiscal Year 2008 District of Columbia Public Schools ("DCPS") budget approved by the Council included a \$33.516 million operating funds budget for the Office of Facilities Management with DCPS. This amount needed to be reprogrammed from DCPS to OPEFM after OPEFM was given authority to manage routine maintenance.

(c) The Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, effective March 20, 2008 (D.C. Law 17-121; 55 DCR 1477) ("supplemental act"), which made \$191.345 million in supplemental appropriations available, included an applicability provision that required that the \$33.5 million be reprogrammed prior to the release of these supplemental funds.

(d) The amount of \$33.5 million has not yet been reprogrammed. It is important that this amount be reprogrammed as required by the supplemental act and that some of the funds in the supplemental act be released to the designated recipients.

(e) Emergency legislation is necessary to clarify which funds are subject to the applicability provision and which funds may be released. Allocations to DCPS, the Office of the Chief Technology Officer, the District of Columbia Sports and Entertainment Commission, the Deputy Mayor for Education, the Office of the Attorney General, the Workforce Investment

**ENROLLED ORIGINAL**

Fund, and the District Department of Transportation, for street, alley, and sidewalk paving shall remain subject to the applicability provision. All other allocations shall be exempt from the applicability provision and shall be immediately available.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Supplemental Appropriations Release of Funds Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

17-600

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to designate the auditorium at Benjamin Banneker Academic High School as the Dr. Vincent E. Reed Auditorium.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Dr. Vincent E. Reed Auditorium Designation Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to designate the auditorium at Benjamin Banneker Academic High School, located at 800 Euclid Street, N.W., in Ward 1, as the "Dr. Vincent E. Reed Auditorium" in honor of Dr. Vincent E. Reed, distinguished educator and former school Superintendent of the District of Columbia.

(b) Dr. Vincent E. Reed, a graduate of West Virginia State College, Howard University, and the Wharton School of Finance and Commerce at the University of Pennsylvania, began his career in education by joining the Washington, D.C. public school system in 1956 as a teacher and worked tirelessly to improve the lives of District of Columbia students.

(c) In 1981, Benjamin Banneker Academic High School opened its doors due to the tireless efforts of Dr. Reed and others who embraced his vision of an academic high school that would offer a 4-year structured curriculum that would lead to post-secondary studies. Banneker was to be Washington, D.C.'s first 100% all-academic/college-preparatory public high school. The school's first graduating class, in 1985, boasted an almost 100% college-bound rate and students went on to become very successful. Banneker has an extremely stringent academic program with required and elective college preparatory courses. Banneker offers both International Baccalaureate and Advanced Placement Courses.

(d) President Ronald Reagan nominated Dr. Reed to be Assistant Secretary for Elementary and Secondary Education for the Department of Education in 1981. Dr. Reed served in this position for a year and then became the Vice President for Communications at the Washington Post Company in 1982.

(e) For over 40 years, Dr. Vincent E. Reed has served on more than 63 civic and youth-related organization boards.

**ENROLLED ORIGINAL**

(f) Dr. Vincent E. Reed is in poor health.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Dr. Vincent E. Reed Auditorium Designation Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-601

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to confirm the appointment of Mr. Buwa Binitie to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Buwa Binitie Confirmation Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to confirm the appointment of Mr. Buwa Binitie to the District of Columbia Housing Finance Agency Board of Directors.

(b) It is vital that the Council immediately confirm the appointment of Mr. Binitie because the agency does not currently have a quorum. Because the measure did not meet the 15-day notice requirement of Rule 422 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 17, the Council needs to take emergency action.

(c) Mr. Binitie will be a valuable asset to the District of Columbia Housing Finance Agency.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Housing Finance Agency Board of Directors Buwa Binitie Emergency Confirmation Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-602

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm, on an emergency basis, the appointment of Mr. Buwa Binitie to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Buwa Binitie Emergency Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Buwa Binitie  
72 V Street, N.W.  
Washington, D.C. 20001  
(Ward 5)

as a member, with experience in planning, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), replacing Rosalyn Doggett, whose term expired June 28, 2007, for a term to end June 28, 2009.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

17-603

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to confirm the appointment of Mr. Jacque D. Patterson to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Jacque D. Patterson Confirmation Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to confirm the appointment of Mr. Jacque D. Patterson to the District of Columbia Housing Finance Agency Board of Directors.

(b) It is vital that the Council immediately confirm the appointment of Mr. Patterson because the agency does not currently have a quorum. Because the measure did not meet the 15-day notice requirement of Rule 422 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 17, the Council needs to take emergency action.

(c) Mr. Patterson will be a valuable asset to the District of Columbia Housing Finance Agency.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Housing Finance Agency Board of Directors Jacque D. Patterson Emergency Confirmation Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

17-604

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To confirm, on an emergency basis, the appointment of Mr. Jacque D. Patterson to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Jacque D. Patterson Emergency Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Jacque D. Patterson  
3521 21<sup>st</sup> Street, S.E., Apt. T  
Washington, D.C. 20020  
(Ward 8)

as a member, representing community interests, of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), replacing Everett Hamilton, Jr., whose term ended June 28, 2007, for a term to end June 28, 2009.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.



## ENROLLED ORIGINAL

## A RESOLUTION

17-605

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 15, 2008

To declare the existence of an emergency with respect to the need to authorize payment to Hawk One Security, Inc., for security services provided to the District of Columbia Public Library without a valid written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hawk One Security, Inc. Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) The District of Columbia Public Library ("DCPL") needed the provision of security services.

(b) Efforts were taken to amend the existing contract with Hawk One Security, Inc. ("Hawk") to accommodate the need for additional services, but the original contract was never amended, nor was an additional contract established.

(c) Hawk continued to provide the security services and is now seeking payment. The total cost to DCPL for the unauthorized services for the period from October 1, 2006 through May 31, 2007 is \$150,860.76.

(d) The security services DCPL received benefitted the District. The DCPL Contracting Officer has determined that the price charged for the services received is fair and reasonable. The DCPL Chief Financial Officer has certified that appropriated funds are available and are unallocated to any other purpose. The Chief Procurement Officer, following review, has recommended that the contract be ratified.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Hawk One Security, Inc. Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.